

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

BYRON MARTIN,
Plaintiff

v.

CCA-LAC MEDICAL DEPARTMENT,
Defendant

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File No. 1:06-CV-100

ORDER

The Magistrate Judge's Report and Recommendation was filed April 10, 2007 (Paper 23). After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1). Plaintiff's motion for voluntary dismissal (Paper 18) is GRANTED. This case is hereby DISMISSED without prejudice.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 26th day of June, 2007.

/s/ J. Garvan Murtha
J. Garvan Murtha
United States District Judge